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U.S. Environmental Protection Agency  
EPA Docket Center  
Air and Radiation Docket  
Mail Code 28221T  
1200 Pennsylvania Ave. NW  
Washington, DC 20460

**Re: EPA's Reconsideration of the National Ambient Air Quality Standards for  
Particulate Matter, Docket No. EPA-HQ-OAR-2015-0072**

Introduction

As the nation's largest manufacturing association, the National Association of Manufacturers represents nearly 14,000 small, medium and large manufacturers in every industrial sector and in all 50 states. Manufacturers in the U.S. are committed to the communities in which they live and serve and are dedicated to protecting the health, safety and vibrancy of those communities. Through constant innovation, investment and dedication, manufacturers in the U.S. have become leaders in environmental stewardship and sustainability, while continuing to be the engine that drives our economic growth and prosperity. Today's domestic manufacturing sector is a clean and efficient operation that is technology driven and dedicated to the planet and its people.

The NAM welcomes the opportunity to comment on the EPA's Reconsideration of the NAAQS for PM. Manufacturers agree with the EPA's decision to maintain and not change the current secondary annual PM<sub>2.5</sub> standard, primary and secondary 24-hour PM<sub>2.5</sub> standards and primary and secondary PM<sub>10</sub> standards. However, manufacturers strongly oppose the EPA's decision to propose a new primary annual PM<sub>2.5</sub> standard from its current level of 12.0 µg/m<sup>3</sup> to within a range of 9.0 to 10.0 µg/m<sup>3</sup> and consider a standard as low as 8.0 µg/m<sup>3</sup>.

The NAM strongly urges the EPA to maintain the existing annual 12.0 µg/m<sup>3</sup> PM<sub>2.5</sub> standard.

**I. Unprecedented Complete Reconsideration**

If the EPA finalizes this rule, it will do what no other administration has done before—complete reconsideration of a promulgated NAAQS. Procedures in a reconsideration outside the Clean Air Act's five-year review cycle depart significantly from the traditional NAAQS process, fundamentally altering what stakeholders have come to experience over a half-century

of NAAQS rulemaking. Additionally, if the EPA finalizes this rule, it will set a precedent that will add more uncertainty into the landscape of compliance.

Because this reconsideration is entirely discretionary, the EPA can and should consider costs and burdens in determining whether to proceed with this action. The EPA has substantial flexibility to consider any factor, including costs and burdens, when determining whether to finalize the reconsideration rule proposal. If considered fairly and objectively, these economic consequences will lead the EPA to withdraw its proposal.

## II. Areas Already in Nonattainment

Across the country, there continue to be areas of the U.S. that are in nonattainment with the current  $12.0 \mu\text{g}/\text{m}^3$   $\text{PM}_{2.5}$  standard. Yet the EPA is determined to leave those nonattainment areas further behind by pursuing stricter  $\text{PM}_{2.5}$  standards. Instead of proposing new standards, the EPA should focus on ensuring all areas of the U.S. achieve attainment with the current standards.

## III. Manufacturing in the U.S. Outpacing Global Competitors on Environment

Manufacturers in the U.S. have invested heavily in new processes and technologies that have made manufacturing cleaner and more sustainable than ever. This innovation in the manufacturing sector has played a key role in the reduction of air pollution we have seen over the past 50 years. Across the board, levels of major pollutants have declined dramatically, and the United States is outpacing our global competitors in air quality improvements. According to the EPA, the U.S. has reduced six common NAAQS pollutants, including  $\text{PM}_{2.5}$ , by 78% between 1970 and 2020. Additionally, the EPA data show that  $\text{PM}_{2.5}$  air quality has improved 43% between 2000 and 2020. Manufacturers are committed to ensuring that progress continues.

U.S. efforts to reduce air pollution have led to better air quality than is experienced by most of the rest of the world. According to the Organization for Economic Co-operation and Development, worldwide average exposure to  $\text{PM}_{2.5}$  annually in 2018 to 2019 was  $42 \mu\text{g}/\text{m}^3$ , compared to a U.S. average of  $7.7 \mu\text{g}/\text{m}^3$ . The U.S. has lower  $\text{PM}_{2.5}$  levels than France, Germany, Japan and the U.K.

## IV. $\text{PM}_{2.5}$ Proposal's Effects on Local Manufacturing and Jobs

The EPA's proposal does not take into account the economic consequences a stricter  $\text{PM}_{2.5}$  standard will have on manufacturers in the U.S. First, there is the direct economic exposure manufacturers will face, which is a measure of the gross value added or employment in the manufacturing sector that could be affected or at risk because of a new air quality standard. Second is the indirect economic exposure of manufacturing as a result of a stricter  $\text{PM}_{2.5}$  standard. This refers to the effects on the sector as the consequences are felt throughout the supply chain due to decreased overall investment.

Additionally, there are economic consequences, given current manufacturing trends, of stricter  $\text{PM}_{2.5}$  standards restricting future growth of U.S. manufacturers. The EPA must take into account the extent to which manufacturers will be restricted from expanding current facilities or prevented from breaking ground on new ones. The likelihood of lost jobs and livelihoods is significant, and much be considered before the EPA finalizes a new  $\text{PM}_{2.5}$  standard.

## V. Increase in Nonattainment Areas

The EPA's proposed rule would significantly increase the number of industrial centers and U.S. population hubs in nonattainment areas at a stricter PM<sub>2.5</sub> standard. A nonattainment designation under the CAA will directly negatively impact these communities' economies by making it difficult to attract and develop business. At a time when manufacturers and families are deeply concerned with finances and inflation, the EPA should be pursuing policies that incentivize growth, development and innovation, rather than making it harder for communities to thrive.

The NAM's Manufacturers' Outlook Survey for the first quarter of 2023 found that more than 55% of manufacturers anticipate that new EPA air standards will raise their costs of compliance, and one out of three manufacturers anticipate that the new standards would lead to increased permitting challenges and restrict investment and facility expansion plans.

## VI. Impact on Manufacturers in Nonattainment Areas

Manufacturers in nonattainment areas will face various challenges if the EPA moves forward with stricter PM<sub>2.5</sub> standards. The EPA could not identify controls that would attain the potential range of standards in its own proposal. Additionally, states will have to look beyond many traditional sources of PM<sub>2.5</sub> that are already well-controlled.

A nonattainment designation also gives the EPA authority to revise any state permitting decision affecting the nonattainment area. A nonattainment designation can even detrimentally affect infrastructure development vital to manufacturers. One year after a nonattainment designation, federally supported highway and transit projects cannot proceed without a state demonstration that the project will not cause an increase in precursor emissions.

Nonattainment areas do not escape regulatory burden even if designated for a short period of time. Before a nonattainment area can be redesignated to attainment, the EPA must receive and approve an enforceable maintenance plan for the area that specifies measures providing continued maintenance of PM<sub>2.5</sub> emissions and contingency measures to be implemented if PM<sub>2.5</sub> standards are not met. For these reasons, increased costs associated with permit requirements and other restrictions can prevent manufacturers from building a facility emitting even the minimum PM<sub>2.5</sub> emissions necessary for economic development from building that facility in a nonattainment area.

The EPA projects that controls under this reconsideration could cost as much as \$1.8 billion per year, but acknowledges that this "may be underestimated." The EPA must understand and consider all of the economic consequences of its PM<sub>2.5</sub> proposal before it considers finalizing the rule.

## VII. Headroom Challenges in Attainment Areas

For areas that achieve attainment under a stricter PM<sub>2.5</sub> standard, there may not be sufficient headroom under that standard to prove that new manufacturing projects or expansion of existing projects will not cause or contribute to a violation of the PM<sub>2.5</sub> standard to proceed. Often, up to 3 µg/m<sup>3</sup> of headroom is needed to verify that a project will not jeopardize attainment for an area. Given the proposal from the EPA to consider a PM<sub>2.5</sub> standard as low as 8 µg/m<sup>3</sup>, it will likely result in insufficient headroom for new manufacturing projects in attainment areas across the country.

## Conclusion

The NAM and the EPA share the goal of pursuing the highest levels of environmental stewardship in the U.S. And manufacturers are committed to smart, strong environmental safeguards and improving the lives of all Americans so that no one—and no community—is left behind.

However, the EPA's proposed stricter PM<sub>2.5</sub> standard is not the path forward. The EPA's proposal will hinder domestic manufacturing growth, does not consider the widespread economic and job consequences and does not adequately identify feasible steps to even achieve attainment with new standards.

The NAM strongly urges the EPA to withdraw its proposal and maintain the existing annual 12.0 µg/m<sup>3</sup> PM<sub>2.5</sub> standard. We look forward to continuing to work with the EPA on this issue that is critical to the future of manufacturing's competitiveness in the United States.

Sincerely,

Chris Morris  
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